IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 19TH JANUARY 2007 / 29TH PAUSHA 1928

Bail Appl..No. 324 of 2007()

CMP.5925/2006 of J.M.F.C.,VADAKARA

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PETITIONERS/ ACCUSED

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1. DHILEEP, S/O. RAJENDRAN
   PERIKULATHEN HOUSE, RAJKUMARI DESOM
   GANDHIPPARA VILLAGE

2. BAIJU, S/O. PEETHAMBARAM
   THAIKKADAVIL HOUSE,
   RAJAKUMARI DESOM, GANDHIPPARA VILLAGE

BY ADV. SRI.T.A.UNNIKRISHNAN
SRI.K.SATHEESH KUMAR

RESPONDENTS: COMPLAINANT

THE STATE OF KERALA,
REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM

BY PUBLIC PROSECUTOR SRI. P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 19/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 324 of 2007

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DATED: 19-01-2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioners who are the accused in CR. No. 63 of 2006 of Vatakara Excise Range for offences punishable under Sec. 55(a) of the Abkari Act and for the alleged contravention of Rule 9 of the Foreign Liquor Rules, for having been found transporting of 393 bottles of IMFL on 9-12-2006 and who were arrested on the same day, seek their enlargement on bail.

2. I heard the learned counsel for the petitioners and the learned Public Prosecutor. The learned Public Prosecutor opposed the application.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioners on bail.

This Application is accordingly dismissed.

V.RAMKUMAR,

JUDGE.

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